

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CIVIL ACTION NO.
4:03-CV-40253-NMG
2004 MAR 12 A 11:41

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
f/k/a BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.,**

Plaintiff,

v.

**ROSE CASTRO, JOSH CASTRO, JOSEPH
DIMARE and ALL OTHER OCCUPANTS,**

Defendants.

REQUEST FOR REMAND

The Plaintiff, Deutsch Bank National Trust Company, as Custodian or Trustee f/k/a Bankers Trust Company of California, N.A., hereby requests that the Court remand this action to the Housing Court Department of the Trial Court of Massachusetts, Worcester County Division. On March 1, 2004, the Court entered an Order denying the Defendants' Motion for Extension of Time to File Response to Plaintiff's Motion to Remand the instant action, and ordering the Defendants to file their Opposition to Plaintiff's Motion on or before Wednesday, March 10, 2004. Said Order stated that failure to file such an Opposition by that date would result in the case being remanded sua sponte.

As of today, March 11, 2004, the Defendants have failed to file an Opposition to our Motion to Remand. As such, we respectfully request the Court to remand this action to the

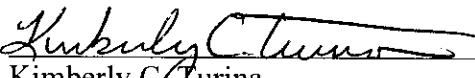
U.S. DISTRICT COURT
DISTRICT OF MASS.

Housing Court Department of the Trial Court of Massachusetts, Worcester County Division, consistent with the Court's Order dated March 1, 2004, so that Plaintiff can proceed with this eviction proceeding forthwith.

Respectfully submitted,

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
f/k/a BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.,

By its attorney,



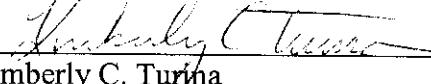
Kimberly C. Turina
HARMON LAW OFFICES, P.C.
P.O. Box 610389
Newton Highlands, MA 021651-0389
(617) 558-8400

Dated: March 11, 2004

CERTIFICATE OF SERVICE

I, Kimberly C. Turina, hereby certify that on the 1 day of March, 2004, I served by first class mail, postage prepaid, a copy of the Plaintiff's Request for Remand to the following:

Adrian A. Gaucher, Jr.
Law Offices of Gaucher & Gaucher
60 Hamilton Street
Southbridge, MA 01550-1808



Kimberly C. Turina